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5 Attorney for Plaintiff

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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
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11 TONYA HALE,

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13 Plaintiff,

14 vs.

15 THE COSMOPOLITAN OF LAS VEGAS;
16 NV PROPERTY 1, LLC dba THE
17 COSMOPOLITAN OF LAS VEGAS, a
18 Nevada Limited Liability Company;
RICHARD SHERMAN, an individual,

19 Defendants.
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) CASE NO. 2:19-cv-00780-JCM-VCF

) STIPULATION AND ORDER CONTINUING
) THE DATE THAT PLAINTIFF MUST FILE
) THEIR RESPONSE TO DEFENDANT'S
) MOTION FOR SUMMARY JUDGMENT
) [LR 6-1; LR 6-2]

) (Second Request)

22 IT IS HEREBY STIPULATED AND AGREED by and between the parties' respective
23 counsels of record pursuant to LR 6-1 and LR 6-2 that Plaintiff's response to Defendant Nevada
24 Property 1, LLC dba The Cosmopolitan of Las Vegas' motion for summary judgment filed on
25 April 12, 2021, for which the opposition is currently due on June 3, 2021, will be continued to
26 June 28, 2021. This is the second request to continue the due date for Plaintiff's response.
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1 Said continuance is being requested in order to provide Plaintiff adequate time to respond
2 to a complex dispositive motion. Delays were previously experienced due to Covid-related
3 shutdowns, health/medical issues of counsel and various witnesses, some of whom were located
4 out of state. The parties have been working as diligently as possible under the
5 circumstances. Discovery has now closed. Plaintiff's counsel, a solo practitioner, needs
6 additional time to respond to the dispositive motion while also balancing obligations in other
7 matters.

8 In addition, Plaintiff's counsel was confident that he was going to be able to meet the current
9 June 3rd deadline to get the response filed but he had to go into surgery to get a kidney stone
10 removed on May 22, 2021 and did not anticipate that there would be a recovery period that has
11 made it impossible to get the response filed in adequate form by the current deadline. Also
12 Plaintiff's counsel will be out of town for much of the time from June 5, 2021 until June 21, 2021.

13 Defendant does not object to the requested extension. The parties assure the Court this
14 request is not being made for the purpose of delay.

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16 LAW OFFICES OF MICHAEL P.
17 BALABAN

FISHER & PHILLIPS LLP

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19 /s/ Michael P. Balaban, Esq.
20 Michael P. Balaban, Esq.
21 10726 Del Rudini Street
22 Las Vegas, NV 89141
23 Attorney for Plaintiff

/s/ Lisa A. McClane, Esq.
Lisa A. McClane, Esq.
300 South Fourth Street, Suite 1500
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Attorney for Defendant

24 Dated: June 1, 2021

Dated: June 1, 2021

25 IT IS SO ORDERED:

26 
27 UNITED STATES DISTRICT JUDGE

28 Dated: June 2, 2021